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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/858,017	05/14/2001	Sangeeta Varma	0007056-0212/P6314	4875
7590 MARTINE & PENILLA LLP 710 Lakeway Drive #170 Sunnyvale, CA 94085			EXAMINER PYZOSHA, MICHAEL J	
			ART UNIT 2137	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE 3 MONTHS			MAIL DATE 01/10/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

09/858,017

Applicant(s)

VARMA ET AL.

Examiner

Michael Pyzocha

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3,8,9,11,12,14-16,19,23,25 and 35-50 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3,8,9,11,12,14-16,19,23,25 and 35-50 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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**DETAILED ACTION**

1. Claims 1, 3, 8, 9, 11, 12, 14-16, 19, 23, 25, 35-50 are pending.
2. Amendment filed 06/30/2006 has been received and considered.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 3, 8, 9, 11, 12, 14-16, 19, 23, 25, 35-50 are rejected under 35 U.S.C. 102(e) as being anticipated by Stoltz et al (hereinafter Stoltz) (US 6615264).

As per claims 1, 12, 23 and 35, Stoltz teaches a method and a computer program for accessing a session comprising:  
converting a first token of one or more tokens assigned to a user to an authenticated token (Col. 3, lines 12-17; Col. 7, lines 61-65; Col. 9, lines 18-40; Col. 10, lines 30-35 and

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Figure 5); associating said user with said session using said authenticated token (Col. 7, lines 61-67; Col. 8; lines 1-2; a user may access a system by initiating a login or other authentication mechanism...a user may be associated with a particular session); presenting said authenticated token to access said session from a first terminal, wherein each token of the one or more tokens assigned to said user can be implemented to authenticate said user, and further wherein said authenticated token can be created by each token of the one or more tokens assigned to said user; (Col. 7, lines 61-Col. 8, lines 1-6; Col. 8, lines 35-39; Col. 9, lines 39-40; Col. 10, lines 13-15 lines 35-37; Col. 11, lines 19-22 Col. 8, lines 8-9; Col. 9, lines 19-45); converting a second token of the one or more tokens assigned to said user to said authenticated token, said second token being implemented to authenticate said user (Col. 9, lines 27-34); and presenting said authenticated token to access said session from a second terminal (Col. 6, lines 16-20; Col. 8, lines 1-2; Col. 9, lines 48-50; Col. 11, lines 31-40; the user can log back in using a network terminal such as network terminal 202, connect to session and interact with the services...there can be multiple instances of network terminal 202; Col. 13, lines 58; multiple session can be associated with a user).

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As per claims 3, 14 and 36, Stoltz discloses a method and a system comprising: sending a session disconnect signal to said first terminal (Col. 15, lines 57-58; when disconnect message is received, session manager sends a disconnect message to each one of the services directing. them to terminate sending I/O to network terminal) and routing input and output for said session to said second terminal (Col. 14, lines 24-32; ...user is connected to network terminal...direct input/output to network terminal).

As per claims 8, 9, 19, 41, 45, 46 and 50, Stoltz discloses a method, a system and a computer program wherein said biometric identifier is a finger print pattern or a retinal image (Col. 3, lines 15-16; Col. 8, lines 37-38; Col. 10, lines 57-58; Col. 16, lines 53-54).

As per claim 11, Stoltz discloses a method wherein said session is identified by said authenticated token (Col. 10, lines 35-39; Col. 11, lines 65-67; Col. 12, lines 1-30).

As per claim 15, Stoltz discloses a system wherein said step' of associating unit further comprises: authenticating an identity of said user implementing said initial token (Col. 3, lines 12-17; Col. 7, lines 61-65).

As per claims 16, 39, 40, 43 and 49, Stoltz discloses a method, a system and a computer program wherein said step of

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authenticating comprises: obtaining said first token and said second token, said first token being, a physical token, a pass phrase or a biometric identifier assigned to said user (Col. 3, lines 15-16; using smart card, using login and password, using biometric data, etc.).

As per claim 25, Stoltz discloses a computer program comprising: computer readable code configured to cause one or more computers to send a session disconnect signal to said first terminal (Col. 15, lines 57-58; when disconnect message is received, session manager sends a disconnect message to each one of the services directing them to terminate sending I/O to network terminal); and computer readable code configured to cause said one or more computers to route input and output for said session to said second terminal (Col. 14, lines 24-32; ...user is connected to network terminal...direct input/output to network terminal).

As per claims 37, 38, 42 and 47, Stoltz discloses wherein said first token is the same as said second token or said first token is different from said second token (Abstract; Col. 7, lines 61-64; Col. 8, lines 8-9; Col. 9, lines 19-45).

As per claim 44, Stoltz discloses a method wherein said step of authenticating comprises: obtaining said second token, said second token being a physical token, a pass phrase or a

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biometric identifier assigned to said user (Col. 3, lines 15-16; using smart card, using login and password, using biometric data, etc.)

As per claim 48, Stoltz discloses a computer program further comprising: Computer readable code configured to cause said one or more computer to authenticate an identity of said user implementing each token of the one or more tokens, (Col. 3, lines 12-17; Col. 7, lines 61-65; Col. 9, lines 17-40) said computer readable code including, computer readable code configured to cause said one or more computers to obtain said first token of said one or more tokens, and computer readable code configured to cause said one or more computers to obtain second token (Col. 3, lines 15-16; using smart card, using login and password, using biometric data, etc.; Col. 9, lines 17-40).

### ***Response to Arguments***

Applicant's arguments filed 06/30/2006 have been fully considered but they are not persuasive. Applicant argues the Stoltz fails to disclose, converting a first token into an authenticated token; the "authentication token incorporating a user identity and having a different content from said first token"; the authenticated token is presented to access a session from the terminal; and the Stoltz reference should be removed.

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With respect to Applicant's argument that Stoltz fails to disclose converting a first token into an authenticated token, Applicant is directed to Figure 5 a and b, which gives a more detailed explanation of the creation of a session for the terminal. The first user submits its first token that is authenticated by the authentication module. Once authenticated the information is converted into a token for the session manager (i.e. the authenticated token) based on information in the user's authentication database record (see 522, 532 and column 19 lines 19-35). Furthermore, this portion also discloses the "authentication token incorporating a user identity and having a different content from said first token" because the token sent to the authentication information incorporates the user's identity because the user's authentication database record is associated with a single user and the interconnected network address further uniquely identifies the user being connected. Also it is clear that this second information is different from the first information sent for authentication.

With respect to Applicant's argument that the authenticated token of Stoltz isn't presented to access a session from the terminal because the original token is presented, it can be seen from the response above that the first token is presented to the



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authentication module and the authentication module sends the second token to the session manager which creates a session between the user terminal and the server.

With respect to Applicant's argument that the Stoltz reference should be removed, it is noted that Stoltz cannot be used in a rejection under 35 USC 103(a) based on the 35 USC 103(c) exclusion, but based on the above response Stoltz teaches each and every limitation and therefore qualifies as prior art under 35 USC 102(e).

It is also noted that the Office Action mailed 04/03/2006 allowable subject matter was indicated. However, based on the rejection put forth the allowable subject matter had been withdrawn in the previous office action.

### **Conclusion**

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will

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expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Pyzocha whose telephone number is (571) 272-3875. The examiner can normally be reached on 7:00am - 4:30pm first Fridays of the bi-week off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MJP

  
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SUPERVISORY PATENT EXAMINER